

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CODY MICHAEL ROBERTS,

Plaintiff,

v.

ANDREW JAMES JEZUIT,

Defendant.

ORDER

20-cv-187-jdp

After remand from the Court of Appeals, I stayed the case to recruit counsel to assist plaintiff Cody Michael Roberts with his excessive force claim against defendant Andrew James Jezuit. The court has located counsel to represent Roberts: Naikang Tsao of the law firm Foley & Lardner LLP has agreed to represent Roberts, with the understanding that he will serve with no guarantee of compensation for his services.

It is the court's intention that the scope of representation extends to proceedings in this court only. "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a notice of appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

Roberts should understand that because he is now represented in this case, he may not communicate directly with the court from this point forward. He must work directly with his lawyer and must permit his lawyer to exercise professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. Roberts does not have the right to require counsel to raise frivolous arguments or to follow every directive that he makes. He should be prepared to accept the strategic decisions made by his lawyer even if he disagrees with some of them. If Roberts decides at some point not to work with this lawyer,

he is free to end the representation, but he should be aware that it is unlikely that the court will recruit another lawyer to represent him.

ORDER

IT IS ORDERED that the clerk of court is directed to set a telephone conference before Magistrate Judge Stephen Crocker to set the schedule for the remainder of the proceedings in this lawsuit.

Entered April 13, 2023.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge